

Amendment
Appl. No. **10/595,632**
Attorney Docket No. **LAV0313159**

AMENDMENTS TO THE DRAWINGS

Please replace the sheet of drawings by the replacement sheet of drawings submitted with this paper, in which the reference numerals 12-19 on Fig. 4 have been supplemented by corresponding legends from the specification. The amendments do not add any new matter.

REMARKS

By the present amendment, claim 1 has been amended by incorporating therein the subject matter of claim 5. Accordingly, claim 5 has been cancelled and claims 6-7 have been amended to depend on claim 1 instead of claim 5.

Also, claim 1 has been amended to replace “and/or” by the expression “means for detecting at least one of a stage in which the vehicle engine is idling ~~and/or, a stage in which the accelerator pedal is being raised, and a stage in which the vehicle engine is idling and the accelerator pedal is being raised~~”

In the drawings, Fig. 4 has been amended to supplement the reference numerals 12-19 by corresponding legends from the description. The amendments do not add any new matter.

Claims 1-4 and 6-12 are pending in this application. Claim 1 is the only independent claim.

In the Office Action, Fig. 4 is objected to as lacking legends.

Fig. 4 has been amended to replace the reference numerals 12-19 by corresponding legends from the description. Accordingly, it is submitted that the objection should be withdrawn.

Next, in the Office Action, claims 1-12 are rejected under 35 U.S.C. 112, second paragraph, as indefinite. It is alleged in the Office Action that the expression “and/or” in claim 1 is unclear.

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Claim 1 has been amended to replace "[stage 1] and/or [stage 2]" by "at least one of [stage 1], [stage 2], and [stage 1 and stage 2]" as specified above. Accordingly, it is submitted that the rejection should be withdrawn.

Next, in the Office Action, claims 1-4 and 8-12 are rejected under 35 U.S.C. 102(e) as anticipated by US 6,952,918 to Imai ("Imai").

Claim 1 has been amended by incorporating therein the subject matter of claim 5, which is not included in this rejection. Accordingly, it is submitted that the rejection is moot.

In view of the above, it is submitted that the rejection should be withdrawn.

In conclusion, the invention as presently claimed is patentable. It is believed that the claims are in allowable condition and a notice to that effect is earnestly requested.

In the event there is, in the Examiner's opinion, any outstanding issue and such issue may be resolved by means of a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

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In the event this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of the response period. Please charge the fee for such extension and any other fees which may be required to our Deposit Account No. 502759.

Respectfully submitted,

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